



BELA 4280.1
PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of LaVonne Cule et al.

Art Unit 2673

Confirmation No. 7437

Serial No. 09/870,373

Filed May 30, 2001

For METHOD OF GRAPHICALLY INDICATING PATIENT INFORMATION

October 2, 2001

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OFFICE OF PETITIONS

PETITION UNDER RULE 47(a)

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,
Washington, D.C. 20231

SIR:

BELA, Inc. (hereinafter "Assignee") hereby petitions the Commissioner under Rule 47(a) to accept the enclosed DECLARATION AND POWER OF ATTORNEY signed by LaVonne Cule and Grady Smith, two of the three inventors, and without the signature of Beth Frankenberg, the remaining inventor.

Despite diligent and repeated contacts with Ms. Frankenberg by telephone and by written correspondence, Ms. Frankenberg has been unavailable, unresponsive, and has refused to sign the DECLARATION AND POWER OF ATTORNEY as indicated in the enclosed DECLARATION OF FACTS. The DECLARATION AND POWER OF ATTORNEY is necessary to preserve the rights of the Assignee. The Assignee is the sole and exclusive owner of the
* above-identified patent application as a result of the enclosed assignments. The assignments have been submitted for recording with the United States Patent and Trademark Office for the above-identified patent application simultaneously with the submission of this petition.

The last known address of Ms. Frankenberg is P.O. Box 105, Union, Missouri 63084. An additional contact address is Lot 36, Riverview Trailer Court, Union, Missouri 63084.

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It is noted that Ms. Frankenberg is aware of the above-identified patent application and previously cooperated in the filing of a provisional patent application serial no. 60/208,334 filed May 31, 2000, on which the above-identified patent application is based, by signing an assignment recorded with the provisional application and submitted for recording simultaneously with the submission of this petition. In view of these facts, in view of the signatures by the other inventors, and particularly in view of the fact that Ms. Frankenberg has assigned her rights to Assignee, Assignee requests that the Commissioner grant this petition.

A check for \$130.00 to cover the Petition fee is enclosed. If there are any additional charges in this matter, please charge Deposit Account No. 19-1345.

Respectfully submitted,



James J. Barta, Jr., Reg. No. 47,409
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
314 231-5400

JJB

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